

1 BRET O. WHIPPLE, ESQ.
Nevada Bar No. 6168
2 **JUSTICE LAW CENTER**
1100 South Tenth Street
3 Las Vegas, Nevada 89104
4 Tel: (702) 731-0000
Fax: (702) 974-4008
5 *Attorney for Defendant*

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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 THE UNITED STATES OF AMERICA,)
12)
13 Plaintiff,) CASE NO.: 2:16-cr-00046
14 vs.)
15)
16)
17 CLIVEN BUNDY,)
18 Defendant.)
19)

20 **CLIVEN D. BUNDY'S MOTION TO EXTEND TIME TO FILE MOTIONS IN**
21 **LIMINE AND FOR LEAVE TO SUPPLEMENT EXHIBIT AND WITNESS LIST**
22 **UNTIL OCTOBER 2, 2017**

23 COMES NOW, Defendant, CLIVEN BUNDY, by and through his attorney of record,
24 BRET O. WHIPPLE, ESQ., of JUSTICE LAW CENTER, and hereby submits the following
25 Motion to Extend Time to File Motions in Limine and For Leave to Supplement Exhibit and
26 Witness List until October 3, 2017.

27 This motion is made and based upon the pleadings and papers on file herein and any
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1 oral argument presented at the time of hearing.

2 DATED this 28th day of September, 2017.

3 JUSTICE LAW CENTER

4 /S/ Bret Whipple
5 Bret O. Whipple, Esq.
6 Nevada Bar No. 6168
7 1100 S. Tenth Street
8 Las Vegas, Nevada 89104
9 (702) 731-0000

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 As this Court is aware, undersigned counsel was required to file a non-discretionary
12 motion to withdraw (ECF No. 2502) after receiving notice that Defendant Bundy previously
13 sought to terminate his services. During this time period, communication and cooperation with
14 the client was severely diminished, interrupting undersigned counsel and the client's ability to
15 coordinate regarding the upcoming trial and pre-trial deadlines. This matter came before this
16 Court on a hearing on September 27, 2017. At that hearing, the Court denied the motion to
17 withdraw and instead indicated it would appoint undersigned counsel to continue to represent
18 defendant Bundy at trial. Upon being appointed to continue representation of Bundy,
19 undersigned counsel has worked diligently to meet the pre-trial deadlines set by this Court.
20 Specifically, undersigned counsel has filed ECF Numbers 2543, 2544, 2545, 2546, which are
21 respectively, each joinders to other motions in limine previously filed. Counsel has filed Bundy's
22 Statement of the Case, ECF No. 2554, has filed an Opposition to the United States' Motion in
23 Limine, ECF No. 2555, and has already filed one motion in limine, ECF No.2557.

24 However, given the disruption of the attorney-client relationship which immediately
25 preceded the Court's September 28, 2017 deadlines, Defendant Bundy now respectfully requests
26 that this Court grant him an extension of time for the filing of pre-trial Motions in Limine and
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1 for leave to supplement his exhibit and witness lists. As explained to the Court at the hearing on
2 September 27, 2017, there was a serious disruption caused in undersigned counsel's
3 representation of Bundy from approximately September 20, 2017 through September 27, 2017.
4 In light of those issues, counsel requests a very brief extension until October 2, 2017, which
5 represents an extension of two court days (four days, including the weekend). No party will be
6 prejudiced by this brief extension, and any additional motions in limine and/or supplements to
7 the exhibit or witness list would be submitted to the Court prior to the Calendar Call of October
8 3, 2017.

10 CONCLUSION

11 Respectfully, Defendant Bundy asks this Court to grant the present motion and allow him
12 to file additional motions in limine, and to supplement his exhibit and witness list, through the
13 date of October 2, 2017, given the fact that counsel's status as far as trial representation of Bundy
14 was disrupted and resolved by this Court on September 27, 2017.

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17 DATED this 28th day of September, 2017.

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19 **JUSTICE LAW CENTER**

20 /S/ Bret Whipple

21 Bret O. Whipple, Esq.

22 Nevada Bar No. 6168

23 1100 S. Tenth Street

24 Las Vegas, Nevada 89104

25 (702) 731-0000

26 *Attorney for Defendant*
27
28

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Tel (702) 731-0000 Fax (702) 974-4008

CERTIFICATION OF SERVICE

I hereby certify that on the 28th day of September, 2017 a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME AND FOR LEAVE TO SUPPLEMENT was delivered via E-filing to:

DANIEL BOGDEN
United States Attorney

STEVEN MYHRE
First Assistant United States Attorney

NICHOLAS DICKINSON
Assistant United States Attorney

NADIA AHMED
Assistant United States Attorney

ERIN M. CREEGAN
Assistant
United States Attorney

501 Las Vegas Blvd. South, Suite 1100
Las Vegas, NV 89101

/S/ Tatum Wehr
An Employee of Justice Law Center

JUSTICE LAW CENTER
1100 South Tenth Street, Las Vegas NV 89104
Tel (702) 731-0000 Fax (702) 974-4008